



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 22, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-31826 - APPLICANT/OWNER: OXFORD TECHNOLOGY, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit (U-0230-94), if approved.
2. Payment of the required application and notification fees totaling \$800.00 and the applicable documents within 10 days of City Council.
3. This Special Use Permit shall be placed on an agenda closest to November 16, 2012 at which time the City Council may require the Off-Premise Sign (Billboard) be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign (Billboard) is removed.
4. The Off-Premise Sign (Billboard) and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign (Billboard).
5. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
6. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (U-0230-94) shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

RQR-31826 - Staff Report Page One
January 22, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a Required Review of an approved Special Use Permit (U-0230-94) for a 14-foot by 48-foot Off-Premise Sign (Billboard) at 2310 South Las Vegas Boulevard.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/06/88	The City Council approved a request for Rezoning (Z-0119-87) from R-4 (High Density Residential) and C-2 (General Commercial) to C-2 (General Commercial) on property located on the west side of Las Vegas Boulevard between Cleveland Avenue and Cincinnati Street. The Planning Commission recommended approval on 12/10/87.
07/02/90	The City Council approved a request for Rezoning (Z-0070-90) from R-4 (High Density Residential) and C-2 (General Commercial) to C-2 (General Commercial) on property located at the northeast corner of Fairfield Avenue and Cincinnati Avenue. The Planning Commission recommended approval on 06/14/90.
09/28/93	The Board of Zoning Adjustment approved a request for a Special Use Permit (U-0184-93) to allow an Automobile Rental Agency for a maximum of 15 automobiles at 2310 South Las Vegas Boulevard.
11/16/94	The City Council approved a request for a Special Use Permit (U-0230-94) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 2310 South Las Vegas Boulevard. The Board of Zoning Adjustment recommended denial on 10/25/94.
02/05/97	The City Council denied a request for Rezoning (Z-0112-96) from R-4 (High Density Residential) and C-2 (General Commercial) to C-2 (General Commercial) for a proposed Automobile Rental Agency on property located at 2310 South Las Vegas Boulevard. The Planning Commission recommended approval on 11/21/96.
12/07/98	The City Council approved a request for Rezoning (Z-0070-98) from R-4 (High Density Residential) and C-2 (General Commercial) to C-2 (General Commercial) for a proposed 322,226 square-foot Hotel and Casino located at 2310 South Las Vegas Boulevard. The Planning Commission recommended approval on 11/05/98.

RQR-31826 - Staff Report Page Two
January 22, 2009 - Planning Commission Meeting

12/07/98	The City Council approved a request for a Special Use Permit (U-0123-98) for an Unrestricted Gaming Establishment in conjunction with a proposed 322,226 square-foot Hotel and Casino at 2310 South Las Vegas Boulevard. The Planning Commission recommended approval on 11/05/98.
01/19/00	The City Council approved a request for a Required Review [U-0230-94(1)] of an approved Special Use Permit (U-0230-94) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 2310 South Las Vegas Boulevard. The Planning Commission recommended denial on 11/18/99.
02/16/00	The City Council approved a request for a Rezoning (Z-0075-99) from C-2 (General Commercial) and R-4 (High Density Residential) to C-2 (General Commercial) for a proposed 322,226 square-foot Hotel and Casino on property located on the west side of Las Vegas Boulevard between Cincinnati Avenue and Cleveland Avenue. The Planning Commission recommended approval on 01/13/00.
02/16/00	The City Council approved a request for a Special Use Permit (U-0135-99) for a proposed 322,226 square-foot Unrestricted Gaming Establishment and Hotel on property located on the west side of Las Vegas Boulevard between Cincinnati Avenue and Cleveland Avenue. The Planning Commission recommended approval on 01/13/00.
03/28/06	A Code Enforcement case (39646) was processed for construction on a nearby condominium project starting at 4:30 a.m., thereby disturbing the customers. The case was closed on 04/05/06.
03/28/06	A Code Enforcement case (5452) was processed for a rent-a-wreck doing an Auto Rental business without a license at 2310 South Las Vegas Boulevard. The case was closed on 04/05/06.
06/18/08	A Code Enforcement case (66801) was processed for window signs, debris, junk vehicles, trash, graffiti, and other zoning violations at 2310 South Las Vegas Boulevard. The case was closed on 06/26/08.
09/04/08	A Code Enforcement case (69419) was processed for graffiti on the south side of the business at 2310 South Las Vegas Boulevard. The case was closed on 09/15/08.
<i>Related Building Permits/Business Licenses</i>	
01/06/95	A building permit (95362630) was issued for the installation of an Off-Premise Sign (Billboard) at 2310 South Las Vegas Boulevard. The permit was not finalized- received only a partial approval.
03/04/05	A business license (T08-00001) was issued for Tattoo and Piercing Shop at 2310 South Las Vegas Boulevard, Ste 101. The license is still active.
01/18/07	A business license (B21-00011) was issued for Piercing at 2310 South Las Vegas Boulevard, Ste 102. The license is still active.
01/18/07	A business license (C05-02496) was issued for a Novelty Shop at 2310 South Las Vegas Boulevard, Ste 102. the license is still active.
01/18/07	A business license (G04-06386) was issued for a Gifts and Novelties Shop at 2310 South Las Vegas Boulevard, Ste 102. The license is still active.

RQR-31826 - Staff Report Page Three
January 22, 2009 - Planning Commission Meeting

01/18/07	A business license (T08-00027) was issued for Tattoo and Piercing Shop at 2310 South Las Vegas Boulevard, Ste 102. The license is still active.
07/27/07	A business license (M08-00141) was issued for a Motel at 2310 South Las Vegas Boulevard. The license is still valid.
11/22/08	A business license (S15-00028) was issued for a Smoke Shop at 2310 South Las Vegas Boulevard, Ste 102. The license is still active.
Numerous permits were issued for assorted businesses at 2310 South Las Vegas Boulevard.	

Pre-Application Meeting

A pre-application meeting was not required, nor was one held.

Neighborhood Meeting

A neighborhood meeting was not required, nor was one held.

Field Check

01/05/09	Staff conducted a field inspection of the site with the following observations: <ul style="list-style-type: none"> • The subject billboard had no embellishments, animated signage, or electronic displays. • There is graffiti on the base portion of the sign structure. • Bird deterrent devices need to be installed as there is a large accumulation of bird feces on the structure and surrounding ground area. • The paint is chipped on the wiring and control panels on the sign structure.
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Details of Application Request

Site Area

Gross Acres	0.91
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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Motel	C (Commercial)	C-2 (General Commercial)
	Retail Establishment	C (Commercial)	C-2 (General Commercial)
North	Retail Establishment	C (Commercial)	C-2 (General Commercial)
	Storage	C (Commercial)	C-2 (General Commercial)
South	Retail Establishment	C (Commercial)	C-2 (General Commercial)
East	Retail Establishment	C (Commercial)	C-2 (General Commercial)
West	Parking lot	C (Commercial)	C-2 (General Commercial)

RQR-31826 - Staff Report Page Four
January 22, 2009 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		Y
Downtown Centennial Plan	X		Y
Las Vegas Redevelopment Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
G-O (Gaming Enterprise Overlay) District	X		Y
A-O (Airport Overlay) District (175 feet)	X		Y
Las Vegas Boulevard Scenic Byway Overlay District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Sign may be located within public right-of-way	Sign is not located in public right-of-way or within the Off-Premise Exclusionary Sign Zone.	Y
Zoning	Off-Premise Signs are permitted in C-1, C-2, C-M, and M zoning districts only	Sign is located in C-2 (General Commercial) zoning district	Y
Area	No Off-Premise Sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	Sign is 672 square feet in size. The sign does not have an embellishments	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to a maximum of 55 feet with approval of the City Council if significantly obscured from view of travel lanes.	Sign is 40 feet tall	Y

RQR-31826 - Staff Report Page Five
January 22, 2009 - Planning Commission Meeting

Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	Structural elements of the Off-Premise Sign are properly screened from public view.	Y
Off-Premise Sign (Billboard)	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-premise Sign (if not along US-95)	Sign is not located along US-95 or I-15 and is at least 300 feet from another Off-Premise Sign	Y
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" or U" zoned districts.	Sign is more than 300 feet to the nearest property line of a lot in any "R" or "U" zoned districts.	Y
Other	All Off-premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently attached to the ground and is located in a C-2 (General Commercial) zoning district.	Y

ANALYSIS

This is the second Required Review of an approved Special Use Permit (U-0230-94) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 2310 South Las Vegas Boulevard. The sign is located within the Las Vegas Boulevard Scenic Byway Corridor Management Plan, which was adopted under Resolution #62-2008 by the City Council on November 5, 2008. The plan recommends that any existing billboard's Special Use Permit not be renewed and no new billboards be permitted along the corridor to enhance the plans application for national designation.

Staff conducted a field inspection of the subject site and found the signs in good condition, but there was graffiti on the base portion of the structure, along with a large accumulation of bird feces both on the structure and on the surrounding ground area. A research of the building permit activity found that permit #95362630 was issued for the installation of the billboard sign, but received only a partial approval and no final inspection. Additionally, the required application documents for the Required Review have not been submitted nor has the applicable fees been paid by the owner/applicant.

RQR-31826 - Staff Report Page Six
January 22, 2009 - Planning Commission Meeting

FINDINGS

The sign is located in a C-2 (General Commercial) zoning district and within the Las Vegas Boulevard Scenic Byway Corridor Management Plan. The plan discourages the placement of new billboard signs and encourages the removal of existing billboards. Additionally, according to City records, a final inspection was not conducted for the Off-Premise Sign (Billboard), nor is there a record of a Third-Party Special Inspection Report being completed and filed for this sign. Discrepancies related to the condition of the sign structure and surrounding area are addressed as conditions of approval, as is the failure of the owner and/or applicant to submit the appropriate documents and pay the required fees. Since the continued use of the sign does not meet the intent of the Las Vegas Boulevard Scenic Byway Corridor Management Plan, staff recommends denial of this request.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 281

APPROVALS 0

PROTESTS 0